

CIVIL RIGHTS TRAINING - ACTIVITY 3

Fill in the blanks using the 20 words provided separately to complete the sentences.

A. DATA COLLECTION AND REPORTING

- Child Nutrition Programs (CNP) are required to obtain data by race and ethnicity on applicants and participants in their program service area.
- This requirement is met through the collection of _____ and provided in the _____ submitted during the CACFP application and renewal process.

B. PUBLIC NOTIFICATION SYSTEMS

- Program availability – CNPs that distribute program benefits and services must take specific action to inform applicants and participants of their program rights and responsibilities and the steps necessary for participation by:
 - Prominently displaying the USDA _____; and
 - Providing a _____ to inform potentially eligible persons of program eligibility, benefits and services, the location of local facilities or service delivery points, and hours of service
- Nondiscrimination statement – all information materials and sources used to inform the public about CNPs must contain a nondiscrimination statement. _____ must contain the nondiscrimination statement, or a link to it, on the home page of the program information.

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

If material is too small to permit the full statement you may, at a minimum, include the statement in print size no smaller than the text:

“This institution is an equal opportunity provider”

- Complaint Information – Applicants and participants must be advised at the service delivery point of:
 - *Their right to file a complaint* – any person has the right to file a _____ complaint. A civil rights complaint must be based on one of the following: race, color, national origin, sex, age or disability. The complainant must be advised of confidentiality and Privacy Act applications.

- *How to file a complaint* – verbal or written complaints must contain:
 1. Name, address, and telephone number or other means of contacting the person alleging discrimination,
 2. The location and name of the organization or office that is accused of the discriminatory practices,
 3. The nature of the incident or action or the aspect of program administration that led the person to allege discrimination,
 4. The basis for the alleged discrimination (race, color, national origin, sex, age, or disability).
- *Complaint procedures* - complainant must file complaint within ____ days from the act of discrimination. If a complainant makes a verbal complaint or refuses to place allegations in writing, the person to whom the allegations are made must write up the elements of the complaint for the complainant.

C. COMPLAINT PROCEDURES

- If a participating entity receives a complaint of discrimination, the person alleging the complaint must be provided with the nondiscrimination statement and a copy of the _____.
- Complaints should be forwarded promptly to the State Agency or directly to USDA using the address in the nondiscrimination statement.
- All complaints alleging discrimination on the basis of race, color, national origin, age, sex, or disability, written or verbal must be processed within ____ days of receipt.

D. COMPLIANCE REVIEW TECHNIQUES

- Pre-award – A CNPs review of CR procedures to determine compliance prior to receipt of _____.
- Post-award – A CNPs routine review which includes an evaluation of CR compliance.
- Special – A Federal review conducted when CR concerns having a direct effect on the delivery of CACFP _____ have been identified.

E. RESOLUTION OF NONCOMPLIANCE

- Once noncompliance is determined, steps must be taken immediately to obtain _____ compliance.
- The effective date of the finding of noncompliance is the date of the _____ notice of noncompliance to the State agency, local agency, or other subrecipient.
- The State agency must provide immediate written notice to the local agency or other subrecipient indicating the area of noncompliance and the action required to correct the situation.
- Corrective action must be completed within ____ days of the finding.
- Failure or refusal can result in loss of federal assistance from all federal sources.

F. REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

- In order to afford an _____ for program participation CNPs must make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant/employee who has a disability, unless the accommodation would impose an undue hardship on the operation of the program.
- _____ may include, but are not limited to, providing qualified interpreters, taped text, braille, removing physical barriers, and accommodating service animals.

G. LANGUAGE ASSISTANCE

- Generally service must be provided, but there is flexibility in how it is provided.
- How it is provided may be determined by:
 - An _____.
 - Number or proportion of LEP persons served or encountered in the eligible population.
 - Frequency with which LEP individuals come in contact with the program.
 - Nature and importance of the program, activity, or service provided by the program.
 - Resources available to the recipient and costs.
- In general, each certification office that provides service to an area containing approximately 100 single-language, minority, low-income households, must routinely provide both bilingual certification materials and bilingual staff or interpreters.
- _____ include the application form, change report forms, (i.e., monthly, quarterly, or change reports) and notices to the household.

H. CONFLICT RESOLUTION

- USDA encourages the _____ at the lowest possible level and as quickly as possible.
- Create a written code of conduct and post it with your policy for dealing with unacceptable behavior and conflict.
- Use Alternative Dispute Resolution (ADR) techniques.

I. CUSTOMER SERVICE

- Live by the platinum rule “treat others the way **they** want to be treated”.
- Good customer service will help reduce or eliminate complaints of discrimination.
- All _____ must be treated in the same manner.

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WORD WORKSHEET FOR PAGES 1-3

1. certification materials
2. enrollment applications
3. services or benefits
4. public release
5. procedure for complaints of discrimination
6. written
7. 90
8. nondiscrimination poster
9. 180
10. auxiliary aides and services
11. federal funds
12. participants
13. voluntary
14. 60
15. assessment of needs
16. web sites
17. civil rights data collection form
18. resolution of complaints
19. discrimination
20. equal opportunity

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ANSWER KEY

A. DATA COLLECTION AND REPORTING

- Child Nutrition Programs (CNP) are required to obtain data by race and ethnicity on applicants and participants in their program service area.
- This requirement is met through the collection of 2. enrollment applications and provided in the 17. civil rights data collection form submitted during the CACFP application and renewal process.

B. PUBLIC NOTIFICATION SYSTEMS

- Program availability – CNPs that distribute program benefits and services must take specific action to inform applicants and participants of their program rights and responsibilities and the steps necessary for participation by:
 - Prominently displaying the USDA 8. nondiscrimination poster; and
 - Providing a 4. public release to inform potentially eligible persons of program eligibility, benefits and services, the location of local facilities or service delivery points, and hours of service.
2. Nondiscrimination statement – all information materials and sources used to inform the public about CNPs must contain a nondiscrimination statement. 16. Web sites must contain the nondiscrimination statement, or a link to it, on the home page of the program information.

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

If material is too small to permit the full statement you may, at a minimum, include the statement in print size no smaller than the text:

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3. Complaint Information – Applicants and participants must be advised at the service delivery point of:
- *Their right to file a complaint* – any person has the right to file a 19. discrimination complaint. A civil rights complaint must be based on one of the following: race, color, national origin, sex, age or disability. The complainant must be advised of confidentiality and Privacy Act applications.

- *How to file a complaint* – verbal or written complaints must contain:
 5. Name, address, and telephone number or other means of contacting the person alleging discrimination,
 6. The location and name of the organization or office that is accused of the discriminatory practices,
 7. The nature of the incident or action or the aspect of program administration that led the person to allege discrimination,
 8. The basis for the alleged discrimination (race, color, national origin, sex, age, or disability).
- *Complaint procedures* - complainant must file complaint within 9. 180 days from the act of discrimination. If a complainant makes a verbal complaint or refuses to place allegations in writing, the person to whom the allegations are made must write up the elements of the complaint for the complainant.

C. COMPLAINT PROCEDURES

- If a participating entity receives a complaint of discrimination, the person alleging the complaint must be provided with the nondiscrimination statement and a copy of the 5. procedure for complaints of discrimination.
- Complaints should be forwarded promptly to the State Agency or directly to USDA using the address in the nondiscrimination statement.
- All complaints alleging discrimination on the basis of race, color, national origin, age, sex, or disability, written or verbal must be processed within 7. 90 days of receipt.

D. COMPLIANCE REVIEW TECHNIQUES

- Pre-award – A CNPs review of CR procedures to determine compliance prior to receipt of 11. Federal funds.
- Post-award – A CNPs routine review which includes an evaluation of CR compliance.
- Special – A Federal review conducted when CR concerns having a direct effect on the delivery of CACFP 3. services or benefits have been identified.

E. RESOLUTION OF NONCOMPLIANCE

- Once noncompliance is determined, steps must be taken immediately to obtain 13. voluntary compliance.
- The effective date of the finding of noncompliance is the date of the 6. written notice of noncompliance to the State agency, local agency, or other subrecipient.
- The State agency must provide immediate written notice to the local agency or other subrecipient indicating the area of noncompliance and the action required to correct the situation.
- Corrective action must be completed within 14. 60 days of the finding.
- Failure or refusal can result in loss of federal assistance from all federal sources.

F. REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

- In order to afford an 20. equal opportunity for program participation CNPs must make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant/employee who has a disability, unless the accommodation would impose an undue hardship on the operation of the program.
- 10. Auxiliary aides and services may include, but are not limited to, providing qualified interpreters, taped text, braille, removing physical barriers, and accommodating service animals.

G. LANGUAGE ASSISTANCE

- Generally service must be provided, but there is flexibility in how it is provided.
- How it is provided may be determined by:
 - An 15. assessment of needs.
 - Number or proportion of LEP persons served or encountered in the eligible population.
 - Frequency with which LEP individuals come in contact with the program.
 - Nature and importance of the program, activity, or service provided by the program.
 - Resources available to the recipient and costs.
- In general, each certification office that provides service to an area containing approximately 100 single-language, minority, low-income households, must routinely provide both bilingual certification materials and bilingual staff or interpreters.
- 1. Certification materials include the application form, change report forms, (i.e., monthly, quarterly, or change reports) and notices to the household.

H. CONFLICT RESOLUTION

- USDA encourages the 18. resolution of complaints at the lowest possible level and as quickly as possible.
- Create a written code of conduct and post it with your policy for dealing with unacceptable behavior and conflict.
- Use Alternative Dispute Resolution (ADR) techniques.

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